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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS MELENDEZ,

Defendant.

CASE NO. 1:24-CR-000273-KES-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on December 10, 2025.
2. By this stipulation, defendant now moves to continue the status conference to February 25, 2026, and to exclude time between December 10, 2025, and February 25, 2026, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government provided initial discovery to the defense on December 10, 2024. The discovery generally consisted of law enforcement reports, bodycam footage, photographs and medical records. As investigation was ongoing, the Government provided additional

1 discovery to defense counsel. The government is also in the process of obtaining and reviewing
2 additional discovery for production.

3 b) The government extended a plea offer in June 2025. The parties require additional
4 time to discuss potential resolution of this case via a plea agreement.

5 c) Finally, Defense counsel is continuing to investigate the case. Defense counsel
6 requests additional time to conduct her own independent investigation and review the
7 supplemental discovery once produced.

8 d) The defendant asks the Court to exclude time between December 10, 2025, and
9 February 25, 2026, to account for time to discuss the plea with the Government and defendant, to
10 conduct her own investigation, taking into account the exercise of due diligence.

11 e) The government does not object to the continuance.

12 f) The parties will be prepared to set a trial date at the next status conference.

13 g) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendants in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of December 10, 2025 to February
18 25, 2026, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because
19 it results from a continuance granted by the Court at defendants' request on the basis of the
20 Court's finding that the ends of justice served by taking such action outweigh the best interest of
21 the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
24 must commence.

25 IT IS SO STIPULATED.
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1 Dated: December 2, 2025

ERIC GRANT
United States Attorney

2 /s/ ANTONIO J. PATACA
3 ANTONIO J. PATACA
Assistant United States Attorney

4 Dated: December 2, 2025

5 /s/ BARBARA O'NEILL
6 BARBARA O'NEILL
Counsel for Defendant

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8 **ORDER**

9 IT IS SO ORDERED that the status conference is continued from December 10, 2025, to
10 **February 25, 2026 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**
11 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). If the parties do not resolve the case in
12 advance of the next status conference, they shall be prepared to set a trial date at the status conference
13 hearing.
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16 IT IS SO ORDERED.

17 Dated: **December 2, 2025**

18 /s/ *Barbara A. McAuliffe*
19 UNITED STATES MAGISTRATE JUDGE
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